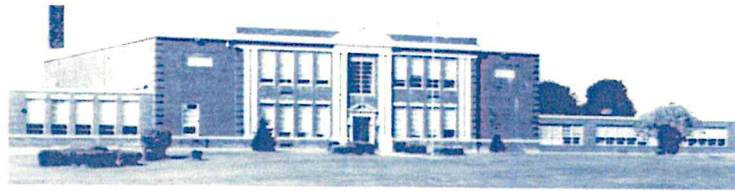


Board of Education

Jennifer Lavoie
President
Michael Filipovich
Vice President
Laura Billings
Jessica Clark
Brittany Rizzo
Jona Snyder
Jennah Turner



Madison Central School District
7303 Route 20, Madison, New York 13402
Phone: (315) 893-1878
Fax: (315) 893-7111

Jason Mitchell
Superintendent
Larry Nichols
Building Principal
Brian J. Latella
Elementary Principal
Melanie Brouillette
Treasurer
Tracey Lewis
District Clerk

**BOARD OF EDUCATION
REGULAR MEETING**

**JANUARY 19, 2021
7:00 P.M. – LIBRARY**

- I. Call to Order
- II. Agenda Additions
- III. Consent Agenda
 - a. Approval of Agenda for This Meeting
 - b. Approval of Minutes
 1. December 15, 2020 Regular Meeting Minutes
- IV. Public Forum
- V. Reports
 - a. Treasurer
 1. Internal Claims Auditor's Report - updated November report
 2. Treasurer's Report dated December 31, 2021
 3. Detail Warrants
 - a. Warrant Number 20 - Fund A - 12/4/20 - 3 pages
 - b. Warrant Number 21 - Fund A - 12/2/20 - 6 pages
 - c. Warrant Number 22 - Fund A - 12/23/20 - 4 pages
 - d. Warrant Number 7 - Fund C - 12/4/20 - 1 page
 - e. Warrant Number 8 - Fund C - 12/23/20 - 1 page
 - f. Warrant Number 6 - Fund TA - 1/11/21 - 5 pages
 - g. Warrant Number 5 - Fund FA21 - 12/23/20 - 1 page
 4. Financial Status Report
 5. Approval to cancel outdated checks as provided
 - b. Superintendent – Information Items
 1. Legislative Forums January 27 and 28, 2021
 2. Return to Hybrid Instruction
 - c. Superintendent – Approval Items
 1. Acceptance of FFA Living to Serve Grant of \$1,100.00
 2. Approval of Surplus List of computer equipment
- VI. Committee Reports
 - a. Policy Committee Report
- VII. Old Business

- VIII. Policy
 - a. Approval and Adoption of Policy # 1101 entitled “Records Management and Access”
 - b. Approval and Adoption of Policy # 5406 entitled “Protection of Student, Teacher, and Principal Personal Information (Data Security and Privacy)”
 - c. Approval and Adoption of Policy # 7102 entitled “Student Medications”
- IX. Board of Education Discussion Items
 - a. Board of Education Goals
- X. New Business
 - a. Personnel
 - 1. Resignations
 - a. Sara Kitchen - Speech and Language Pathologist Teacher effective January 20, 2021
 - 2. Appointments
 - a. Matt Bruno - FFA Advisor prorated effective January 4, 2021 for the remainder of the 2020-21 school year
 - b. Molly Huttar - Long Term Certified Substitute for Agriculture effective January 4, 2021 through June 25, 2021
 - c. Mary Sutter - Probationary Speech and Language Pathologist Teacher as per resolution effective January 20, 2021 with anticipated tenure effective January 20, 2025 in Education of Children with Handicapping Conditions - Education of Speech and Hearing Handicapped Children at M5, Step 6 with Masters at \$50,469 per year
 - d. Cassandra Neidhart - Non Certified Substitute Teacher effective January 19, 2021
 - e. Courtney Heim - Mentor to Mary Sutter effective January 20, 2021 prorated as per contract
 - 3. Retirements
 - a. Kevin Raymond - Cleaner effective December 31, 2021
 - 4. Appointment Adjustments
 - a. Kelly Diehl - Long Term Substitute Teacher at B1, Step 1 (previous appointment did not include salary information)
 - c. Principal Reports
- XI. Correspondence
 - a. New York Agricultural Education Annual Report 2020
- XII. Question & Answer Opportunity
- XIII. Executive Session
 - a. To discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, **employment**, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
 - b. Collective negotiations pursuant to Article 14 of the Civil Service Law i.e., the Taylor Law
- XIV. Adjourn Executive Session
- XV. Adjournment

The Regular Meeting of the Board of Education of Madison Central School was held on December 15, 2020 at 7:00 pm via google meet.

MEMBERS PRESENT: Mrs. Laura Billings
Mrs. Brittany Rizzo
Mr. Jona Snyder
Ms. Jennah Turner

MEMBERS ABSENT: Mrs. Jessica Clark
Mr. Mike Filipovich
Mrs. Jennifer Lavoie

OTHERS PRESENT: Mr. Jason Mitchell, Superintendent
Mr. Larry Nichols, Middle/High School Principal
Mr. Brain Latella, Elementary Principal
Mrs. Melanie Brouillette, Treasurer
Ms. Tracey Lewis, District Clerk

- I. Call to Order
 - a. Mrs. Lewis, District Clerk, called the meeting to order at 7 pm.
- II. Agenda Additions
 - a. Remove Executive Session
- III. Consent Agenda
 - a. Approval of Agenda for This Meeting

MOTION # 1 - APPROVAL OF AGENDA

ON THE MOTION of Mr. Snyder, seconded by Mrs. Rizzo, the board moved to approve the agenda for this meeting. Motion carried 4 yes, 0 no.

- b. Approval of Minutes
 - 1. November 17, 2020 Workshop and Regular Meeting Minutes
 - 2. November 30, 2020 Special Meeting Minutes
 - 3. December 3, 2020 Special Meeting Minutes
 - 4. December 8, 2020 Special Meeting Minutes

MOTION # 2 - APPROVAL OF MINUTES

ON THE MOTION of Mr. Snyder, seconded by Mrs. Billings, the board moved to approve the minutes from November 17th, November 30th, December 3rd and December 8th, 2020. Motion carried 4 yes, 0 no.

MOTION # 3 - NOMINATION OF MR. SNYDER TO RUN MEETING IN THE ABSENCE OF THE PRESIDENT AND VICE PRESIDENT

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Billings, the board moved to approve Mr. Snyder to run the meeting this evening in the absence of the President and Vice President. Motion carried 4 yes, 0 no.

- IV. Public Forum
 - a. Mr. Snyder shared history on and gave recognition to Roger Williams, long time board member (10 years) and Lyle Jeffris, long time bus driver (26 years). Both gentlemen have passed away within the last few weeks. Both were highly regarded in the Madison Central School community, are thanked for their long time service to the District and will be greatly missed.

- V. Reports
 - a. Treasurer
 - 1. Internal Claims Auditor's Report

MOTION # 4 - APPROVAL OF INTERNAL CLAIM AUDITOR'S REPORT

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Turner, the board moved to approve the Internal Claim Auditor's Report. Motion carried 4 yes, 0 no.

- 2. Treasurer's Report dated November 30, 2020

MOTION # 5 - APPROVAL OF TREASURER'S REPORT

ON THE MOTION of Mrs. Turner, seconded by Mrs. Rizzo, the board moved to approve the November 30, 2020 Treasurer's Report. Motion carried 4 yes, 0 no.

- 3. Detail Warrants

MOTION # 6 - APPROVAL OF DETAIL WARRANTS

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Turner, the board moved to approve the Detail Warrants as follow: Warrant Number 17 - Fund A - 11/6/2020 - 2 pages, Warrant Number 18 - Fund A - 11/20/20 - 5 pages, Warrant Number 5 - Fund C - 11/6/20 - 2 pages, Warrant Number 6 - Fund C - 11/20/20 - 2 pages, Warrant Number 5 - Fund TA - 12/2/20 - 3 pages, Warrant Number 4- Fund HBUS - 12/3/20 - 1 page, Warrant Number 3 - Fund FA21 - 11/6/10 - 1 page, Warrant Number 4 - Fund FA21 - 11/20/20 - 1 page. Motion carried 4 yes, 0 no.

- 4. The Financial Status Report was shared.
- 5. The Quarterly Student Activity Report for July-September 2020 was shared.

- b. Superintendent – Information Items

- 1. Mr. Mitchell updated the board on the current status of our fully remote instruction. Mr. Mitchell indicated that the District has a significant number of adults with COVID or in mandatory quarantine due to exposure which is making staff shortages an issue. For this, and safety reasons the District is currently in remote instruction. He asked the board their opinion on continuing the remote instruction through January 4, 2021 with the possibility of further extensions.
- 2. Mr. Mitchell provided an update on NYS Micro Cluster Initiative. At this time the District is very close to being in the "yellow" zone. He has sent a survey to all members of the MCS community regarding testing and consent forms for testing are being sent to all individuals who have agreed to the testing. In the event of a continued closure/remote instruction period, the board may need to explore the option of furlough for employees unable to work from home. At this time employees are currently able to fulfill their obligations while working from home or by reporting to their designated job sites.

- c. Superintendent – Approval Items

- 1. Acceptance of Donagen Burns Foundation Grant of \$12,925 if in compliance with Education Law 2D

MOTION # 7 - ACCEPTANCE OF DONAGEN BURNS FOUNDATION GRANT

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Turner, the board moved to accept the Donagen Burns Foundation Grant valued at \$12,925 if in compliance with Education Law 2D, of which Madison is in compliance. Motion carried 4 yes, 0 no.

2. Rescind first installment of stipends for 20-21
 - a. National Honor Society
 - b. Foreign Language Club
 - c. Music/Drama

MOTION # 8 - APPROVAL TO RESCIND STIPENDS

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Billings, the board moved to rescind the first installment of stipends for the 20-21 school year for National Honor Society, Foreign Language Club and Music/Drama. Motion carried 4 yes, 0 no.

3. Approval of Transfers

MOTION # 9 - APPROVAL OF TRANSFERS

ON THE MOTION of Mrs. Billings, seconded by Mrs. Turner, the board moved to approve the Transfers as provided. Motion carried 4 yes, 0 no.

- VI. Committee Reports
 - a. Negotiations
 - a. Negotiations for the Non-Instructional Contract, which is due to expire on June 30, 2021, will begin soon.
 - b. Policy
 1. The Policy Committee is going to begin a full audit of all policies starting at the 0000 policy section.
- VII. Policy
 - a. None
- VIII. Old Business
 - a. None
- IX. Board of Education Discussion Items
 - a. None
- X. New Business
 - a. Personnel
 1. Resignation
 - a. Kelly Diehl - Teacher's Assistant effective December 18, 2020

MOTION # 10 - ACCEPTANCE OF RESIGNATION

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Billings, the board moved to accept the resignation of Kelly Diehl as a Teacher's Assistant effective December 18, 2020. Motion carried 4 yes, 0 no.

2. Adjustment to prior appointment
 - a. Mikaela Reeder - Probationary Teacher's Aide effective August 14, 2018 at \$11.96 per hour as per non-instructional contract (tenure does not apply to Teacher's Aides)

MOTION # 11 - ADJUSTMENT TO APPOINTMENT

ON THE MOTION of Mrs. Billings, seconded by Mrs. Turner, the board moved to adjust the prior appointment of Mikaela Reeder to remove the tenure recommendation as Teacher's Aides do not get granted tenure. Motion carried 4 yes, 0 no.

3. Tenure Recommendation
 - a. Tina Wasuck - Teacher's Assistant Tenure effective 12/29/20

MOTION # 12 - TENURE RECOMMENDATION

ON THE MOTION of Mrs. Billings, seconded by Mrs. Turner, the board moved to approve the tenure recommendation of Tina Wasuck as a Teacher's Assistant effective December 29, 2020. Motion carried 4 yes, 0 no.

4. Appointments
 - a. Kelly Diehl - Long Term Substitute Teacher for Tanna Sreca effective December 21, 2020

MOTION # 13 - APPOINTMENT OF KELLY DIEHL

ON THE MOTION of Mrs. Billings, seconded by Mrs. Turner, the board moved to appoint Kelly Diehl as a Long Term Substitute Teacher for Tanna Sreca effective December 21, 2020 through April 1, 2021. Motion carried 4 yes, 0 no.

5. Appointment Adjustments
 - a. Nicole Winegard - Choral Adviser for 2nd half of 20-21 only
 - b. Kelly Allaire - Choral Adviser with stipend for first half of 20-21 only

MOTION # 14 - APPROVAL OF ADJUSTMENTS TO ADVISERS AND STIPENDS

ON THE MOTION of Mrs. Billings, seconded by Mrs. Rizzo, the board moved to approve making Nicole Winegard the Choral adviser for the 2nd half of the 20-21 school year only and Kelly Allaire the Choral Adviser with stipend for the first half of the 20-21 school year. Motion carried 4 yes, 0 no.

- b. CSE/CPSE Recommendations – in official packet (to be available by meeting)

MOTION # 15 - APPROVAL OF CSE/CPSE RECOMMENDATIONS

ON THE MOTION of Mrs. Billings, seconded by Mrs. Rizzo, the board moved to approve the CSE/CPSE Recommendations as found in the official board packet. Motion carried 4 yes, 0 no.

- c. Principal Reports
 1. Mr. Latella explained that the SED designation is continuing to provide professional development to the staff. The CSE office including himself and Mrs. Heim are continuing to receive IEP training and bringing their findings back to the Special Education staff. The PreK through 2nd grade remote teaching schedules include individualized time for each student. The elementary held its first PreK-5th grade virtual assembly before Thanksgiving and will hold another one next week.
 2. Mr Nichols shared that the remote high school schedule is very similar to in person and that all students should be signing in and attending all classes on their schedules, period by period. He also shared that the Giving Tree program is moving along successfully with a very large number of participants and recipients. He thanked all those involved in the coordination and donation of gifts. Lastly he shared that Spirit Week and concerts are postponed at this time.

XI. Correspondence

- a. The Madison-Oneida BOCES Banner Newsletter was shared.
- b. The 2021 NYS Legislative Position Paper was shared.

XII. Question & Answer Opportunity

- a. None

XIII. Executive Session - TAKEN OFF AGENDA

- a. To discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, **employment**, promotion, demotion, discipline, suspension, dismissal or **removal** of a particular person or corporation.

XIV. Adjourn Executive Session - TAKEN OFF AGENDA

XV. Adjournment

MOTION # 16 - ADJOURNMENT

ON THE MOTION of Mrs. Rizzo, seconded by Mrs. Billings, the board moved to adjourn the meeting at 7:37 pm. Motion carried 4 yes, 0 no.

Device Category	Brand	MORIC	MCS	Serial Number
Desktop Computer	Dell	190389		
Desktop Computer	Dell	190390		
Desktop Computer	Dell	190391		
Desktop Computer	Dell	190392		
Desktop Computer	Dell	190403		
Desktop Computer	Dell	190404		
Desktop Computer	Dell	190405		
Desktop Computer	Dell	190393		
Desktop Computer	Dell	190388		
Desktop Computer	Dell	190369		
Desktop Computer	Dell	247761		
Desktop Computer	Dell	192402		
Desktop Computer	Dell	190377		
Desktop Computer	Dell	192579		
Desktop Computer	Dell	190380		
Desktop Computer	Dell	192582		
Desktop Computer	Dell	190411		
Desktop Computer	Dell	192571		
Desktop Computer	Dell	190407		
Desktop Computer	Dell	190406		
Desktop Computer	Dell	190374		
Desktop Computer	Dell	192401		
Desktop Computer	Dell	190368		
Desktop Computer	Dell	190384		
Desktop Computer	Dell	190379		
Desktop Computer	Dell	190402		
Desktop Computer	Dell	190401		
Desktop Computer	Dell	190386		
Desktop Computer	Dell	190400		
Desktop Computer	Dell	192403		

Desktop Computer	Dell		2587 1xqtv r1
Desktop Computer	Dell		20200143 1xrrvr1
Desktop Computer	Dell		2588 1xrrvr1
Desktop Computer	Dell	192583	
Desktop Computer	Dell	141084	
Desktop Computer	Dell	190381	
Desktop Computer	Dell	192585	
Desktop Computer	Dell	141088	
Desktop Computer	Dell	192580	
Desktop Computer	Dell	192573	
Desktop Computer	Dell	192578	
Desktop Computer	Dell	190364	
Desktop Computer	Dell	192577	
Desktop Computer	Dell	192572	
Desktop Computer	Dell	190387	
Desktop Computer	Dell	190376	
Desktop Computer	Dell	190383	
Desktop Computer	Dell	190371	
Desktop Computer	Dell	141092	
Desktop Computer	Dell	190375	
Desktop Computer	Dell	190370	
Desktop Computer	Dell	192574	
Desktop Computer	Dell	190367	
Desktop Computer	Dell	190373	
Desktop Computer	Dell	190372	
Desktop Computer	Dell	190412	
Desktop Computer	Dell	192575	20200066
Desktop Computer	Dell	190365	
Desktop computer	Dell	141085	
desktop computer	Dell	247758	

VCR/DVD Player	JVC	109545		
VCR/DVD Player	JVC	109533		
VCR/DVD Player	JVC	109539		
VCR/DVD Player	JVC	109537		
VCR/DVD Player	JVC	109542		
VCR/DVD Player	JVC	109550		
VCR/DVD Player	Sony		2060300	
VCR/DVD Player	sony		2056747	
VCR/DVD Player	sony		2060299	
VCR/DVD Player	panasonic		g3ia20777	

Document Camera	Elmo		463	512599
	Elmo		469	512619
	elmo	109493		
	elmo	109497		
	elmo		468	512600
	elmo		470	512616
	elmo	109500		
	elmo	109502		

Monitors				cn-occ299-64180-71b-2hya
Flat monitor	dell			
Flat monitor	dell	75425		
Flat monitor	dell	75438		
Flat monitor	dell	75439		
Flat monitor	dell	75411		
Flat monitor	dell	75435		
Flat monitor	dell	75426		
Flat monitor	dell	75430		
Flat monitor	dell	75429		

Flat monitor	dell	75427
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Flat monitor	dell	75414
Flat monitor	dell	75415
Flat monitor	dell	75407
Flat monitor	dell	75408
Flat monitor	dell	75449
Flat monitor	dell	75423
Flat monitor	dell	75409
Flat monitor	dell	p1911t
Flat monitor	dell	112703
Flat monitor	dell	cnocc280-71618-729-altc

Printer

hp 4250

serial number missing

hp p4014

jpdf017706

Projectors

NEC	2616	0900158EF
nec		0900159ef
nec		0301861fd
nec		1601826eb
nec		3500545ec
nec		2300840ed
nec		2300846ed
nec		1601834eb
nec		0500148fd
nec		0101111ec
nec	2585	0500774fd
nec	2613	3500543ec

Security Cameras

Chromebooks

hp	5cd6161nlk	
hp	5cd6243j90	
hp		523958
hp	5cd6243j9c	
hp	5cd6243mdrm	
hp	5cd61604kk	
hp	5cd6243mcw	
hp	5cd6243mw9	
hp	5cd6243mdg	
hp	5cd6161k8x	

hp	5cd6244gf3	
hp	5cd6243lxs	
hp	5cd6243mjh	
hp	5cd61605jn	
hp	5cd6243mbk	
hp	5cd6244g9k	
hp	5cd6243ln1	
hp	5cd6243m64	
hp	5cd6243ll8	
hp	5cd6244gk1	
hp	5cd6243mch	
hp	5cd6243mk3	
hp	5cd6243n7w	
hp	5cd6243mc5	
acer	nxef2aa0025110f8dc7600	
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acer	nxef2aa00251114cdd7600	
acer	nxef2aa00251104f9a7600	
acer	nxef2aa0025111970e7600	
acer	nxef2aa002634234147600	8324000223 - onc
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axer	nxef2aa0025211c5627600	
acer	nxef2aa0025240740f7600	4771862 - onc
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acer	nxef2aa002634234197600	8324000222 - onc
acer	nxef2aa002634236027600	8324000225 - onc
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acer	nxef2aa0025250155a7600	4771868 - onc
acer	nxef2aa002634234887600	8324000224 - onc
acer	nxef2aa00251104fde7600	
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**BOARD RESOLUTION
TO ADOPT THE RETENTION AND DISPOSITION SCHEDULE FOR NEW
YORK LOCAL GOVERNMENT RECORDS**

WHEREAS, the Madison Central School District has determined that the following resolution shall be adopted; and

WHEREAS, upon the recommendation of the Superintendent of Schools, a motion was made by _____, and seconded by _____, to adopt the following resolution;

NOW THEREFORE BE IT RESOLVED, the Board of Education does hereby adopt the Retention and Disposition Schedule for New York Local Government Records (LGS-1) issued pursuant to Article 57-A of the Arts and Cultural Affairs Law to govern the legal minimum retention period for Madison Central School records and the disposition of those records following the expiration of the applicable minimum retention period, provided that only those records that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond the applicable minimum retention period shall be disposed of.

RESOLUTION APPROVED by the Board of Education of the Madison Central School District at a meeting held on the _____ day of _____, by the following vote:

Clerk of the Board of Education

RECORDS MANAGEMENT AND ACCESS

I. RECORDS RETENTION:

- A. The District retains records in accordance with *Article 57-A of the Arts & Cultural Affairs Law*. To ensure that these records are properly preserved, the Board of Education adopts the Retention and Disposition Schedule for the New York Local Government (LGS-1).
- B. The District's Records Management Officer is:
Mr. Jason Mitchell, Superintendent of Schools
Madison Central School District
7303 State Rt. 20
Madison, NY 13402
315-893-1878
jmitchell@madisoncentralny.org
- C. The Board of Education authorizes the Superintendent to establish procedures for the retention and disposition of records that are not governed by LGS-1.

II. PUBLIC ACCESS TO RECORDS:

- A. The District makes records available to the public in accordance with the *New York State Freedom of Information Law*.
- B. The District's Records Access Officer is:
Melanie Brouillette, Business Manager
Madison Central School District
7302 State Rt. 20
Madison, NY 13402
315-893-1878
mbrouillette@madisoncentral.org
- C. The Superintendent shall promulgate regulations that define the duties of the Records Access Officer and establish procedures to ensure that the District complies with the requirements of the *Freedom of Information Law*.

Madison Central School District Legal Ref: Article 57-A of the Arts & Cultural Affairs Law; Article 6 of the Public Officers' Law; Sections 2116 and 2116-a, New York State Education Law; 8 NYCRR 185.15, Appendix L

Adopted: 1984, 06/12/03

Revised: 08/20/98, 04/05/11, 01/08/13, _____

SUPPORT OPERATIONS

PROTECTION OF STUDENT, TEACHER, AND PRINCIPAL PERSONAL INFORMATION (DATA SECURITY AND PRIVACY)

I. Statement of Policy

In order to conduct a successful education program, the Madison Central School District (the District) receives, creates, stores, and transfers information about students, teachers, and principals that is protected by state and federal law. The District takes active steps to protect the confidentiality of protected information in compliance with all applicable state and federal laws. The District expects all District officers, employees, and partners to maintain the confidentiality of protected information in accordance with state and federal law and all applicable Board of Education (the Board) Policies.

This Policy shall be published on the District website.

II. Scope of Policy

A. Protected Information

1. The term Protected Information used in this Policy includes both, Protected Student Information, and Protected Teacher and Principal Information that is recorded in any form, including paper or digital, and text or image or sound.
2. The term Protected Student Information means personally identifiable information as defined in the federal regulations implementing the Family Educational Rights and Privacy Act (FERPA), found at 34 C.F.R. Section 99.3.
3. The term Protected Teacher and Principal Information means personally identifiable information about an individual's Annual Professional Performance Review (APPR) rating, as described in Education Law Section 3012-c(10).

B. Affected Persons and Entities

1. The term Student includes any person attending school in an educational agency, or seeking to become enrolled in an educational agency.
2. The term Parent includes the parent, legal guardian, or person in parental relation to a Student.

POLICY

Draft 12/15/20
5406

SUPPORT OPERATIONS

PROTECTION OF STUDENT, TEACHER, AND PRINCIPAL PERSONAL INFORMATION (DATA SECURITY AND PRIVACY)

3. The term Data Subject includes any Student and the Parent of the Student, and any teacher or principal who is identified in Protected Information held by the District.
4. As used in this Policy, the term Third Party means any person or organization that (a) is not employed by this District and is not an Educational Agency and (b) receives Protected Information from this District. The term Third Party includes for-profit organizations, not-for-profit organizations, higher education institutions, and governmental agencies that are not Educational Agencies (such as law enforcement agencies).
5. As used in this Policy, the term Educational Agency includes public school districts, boards of cooperative educational services, charter schools, the State Education Department, certain pre-k programs, and special schools described in Section 2-d of the Education Law; higher education institutions are not Educational Agencies for purposes of this Policy.

C. Other Important Definitions

1. The term Breach means the unauthorized acquisition of, access to, use of, or disclosure of Protected Information by or to a person who is not authorized to acquire, access, use, or receive that Protected Information.
2. A Disclosure of Protected Information occurs when that information is released, transferred, or otherwise communicated to an unauthorized party by any means, including oral, written, or electronic; a disclosure occurs whether the exposure of the information was intentional or unintentional. A Disclosure is Unauthorized if it is not permitted by state or federal law or regulation, or by any lawful contract, or not made in response to a lawful order of a court or tribunal.
3. The term Commercial or Marketing Purpose means (a) the sale of Protected Student Information, (b) the use or disclosure of Protected Student Information by any party (including the District) for purposes of receiving remuneration, either directly or indirectly, (c) the use of Protected Student Information for advertising purposes, (d) the use of Protected Student Information to develop or improve a Third Party product or service, or (e) the use of Protected Student Information to market products or services to students.

POLICY

SUPPORT OPERATIONS

Draft 12/15/20
5406

PROTECTION OF STUDENT, TEACHER, AND PRINCIPAL PERSONAL INFORMATION (DATA SECURITY AND PRIVACY)

D. Implementation with Other Policies and Laws

The District has adopted other Policies and practices to comply with state and federal laws such as FERPA, IDEA, and the National School Lunch Act. This Policy will be implemented to supplement, and not replace, the protections provided by those laws, as recognized in District Policies and practices.

III. General Principles for Use and Security of Protected Information

A. Intentional Use of Protected Information

1. All District staff and officers are expected to receive, create, store, and transfer the minimum amount of Protected Information necessary for the District to implement its education program and to conduct operations efficiently. In particular, the number of email documents containing Protected Information should be minimized.
2. Protected Student Information will only be disclosed to other District staff or Third Parties when that person or entity can properly be classified as a school official with a legitimate educational interest in that Protected Information, meaning that the person or entity requires that information to perform their job or fulfill obligations under a contract with the District.
3. Protected Information shall not be disclosed in public reports or other public documents.
4. Before Protected Student Information is disclosed to a Third Party, there shall be a determination that the disclosure of the Protected Information to that Third Party will benefit the student(s) whose information is being disclosed and the District.
5. Except as required by law or in the case of educational enrollment data, the District shall not report to the State Education Department student juvenile delinquency records, student criminal records, student medical and health records, or student biometric information.

B. Commercial and Marketing Use of Protected Information Prohibited

The District shall not sell protected information or use or disclose protected information for the purpose of receiving remuneration either directly or indirectly. The District shall not facilitate the use of Protected Information by another party for that party's commercial or marketing purpose.

SUPPORT OPERATIONS

PROTECTION OF STUDENT, TEACHER, AND PRINCIPAL PERSONAL INFORMATION
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IV. Data Protection Officer

A. Board Designation

Upon the recommendation of the Superintendent, the Board will designate a Data Protection Officer. The designation shall be made by formal action at a Board meeting.

B. Responsibilities of Data Protection Officer

1. The Data Protection Officer shall be responsible for the implementation of this Policy, under the supervision of the Superintendent and consistent with other Board Policies.
2. The Data Protection Officer shall serve as the initial point of contact for data security and privacy matters affecting the District, including communications with the Chief Privacy Officer of the State Education Department.
3. In addition to specific responsibilities identified in this Policy, the Data Protection Officer shall oversee the District assessment of its risk profile and assist the Superintendent in identifying appropriate steps to decrease the risk of Breach or Unauthorized Disclosure of Protected Information, in alignment with the National Institute of Standards and Technology (NIST) Cybersecurity Framework.

V. Actions to Reduce Cybersecurity Risk

A. NIST Cybersecurity Framework

1. The District shall plan, install, maintain, operate, and upgrade its digital information network systems, infrastructure, and practices in alignment with the NIST Cybersecurity Framework, version 1.0, with the goal of steadily reducing the risk of unauthorized disclosure of, or access to, the Protected Information stored on and transmitted through the network.
2. In accordance with the approach of the NIST Cybersecurity Framework, the Superintendent shall direct appropriate District personnel, including the Data Protection Officer, to continually assess the current cybersecurity risk level of the District, identify and prioritize appropriate “next steps” for the District to take to reduce cybersecurity risk, and implement actions

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to reduce that risk, consistent with available fiscal and personnel resources of the District.

3. Decisions regarding procurement and implementation of hardware and software, and decisions regarding the collection and use of Protected Information, shall take into consideration the anticipated benefit to the education program or operations of the District, and the potential increase or decrease in the risk that Protected Information will be exposed to unauthorized disclosure.

B. Setting Expectations for Officers and Employees

1. Notice of this Policy shall be given to all officers and employees of the District.
2. Officers and employees of the District shall receive cybersecurity training designed to help them identify and reduce the risk of unauthorized disclosures of Protected Information. Each employee shall receive such training at least annually. This training shall include information about the state and federal laws that govern Protected Information and how to comply with those laws and meet District expectations for use and management of Protected Information.

VI. Parents Bill of Rights for Data Privacy and Security

A. Content of the Parents Bill of Rights for Data Privacy and Security

The District publishes on its website and will maintain a Parents Bill of Rights for Data Privacy and Security that includes all elements required by the Commissioner's Regulations, including supplemental information about data-sharing agreements as described in Part B below.

B. Public Access to the Parents Bill of Rights for Data Privacy and Security.

The Parents Bill of Rights for Data Privacy and Security shall be posted on the District website. The website copy of the Parents Bill of Rights for Data Privacy and Security shall include links to the following supplemental information about each contract between the District and a Third Party that receives Protected Information:

1. The exclusive purpose(s) for which the District is sharing the Protected Information with the Third Party;

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2. How the Third Party will ensure that any other entities with which it shares the Protected Information, if any, will comply with the data protection and security provisions of law and the contract;
3. When the agreement expires and what happens to the Protected Information when the agreement expires;
4. That a Data Subject may challenge the accuracy of the Protected Information through the process for amending education records under the Education Records Policy of the District (Protected Student Information) or the appeal process under the APPR Plan of the District (Protected Teacher and Principal Information);
5. Where the Protected Information will be stored (described in a way that protects data security); and
6. The security protections that will be taken by the Third Party to ensure that the Protected Information will be protected, including whether the data will be encrypted.

VII. Standards for Sharing Protected Information with Third Parties

A. Written Agreement For Sharing Protected Information With a Third Party Required

1. Protected Information shall not be shared with a Third Party without a written agreement that complies with this Policy and Section 2-d of the Education Law.
2. Disclosing Protected Information to other educational agencies does not require a specific written agreement, because educational agencies are not Third Parties. However, any such sharing must comply with FERPA and Board Policy.
3. When the District uses a cooperative educational services agreement (CoSer) with a BOCES (the CoSer BOCES) to access an educational technology platform that will result in Protected Information from this District being received by a Third Party, this District will confirm that the product is covered by a contract between the CoSer BOCES and the Third Party that complies with Education Law Section 2-d. This District will confirm with the CoSer BOCES the respective responsibilities of this District and the CoSer BOCES for providing breach notifications and publishing supplemental information about the contract.

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- B. Review and Approval of Online Products and Services Required
1. District staff do not have authority to bind the District to the Terms of Use connected to the use of online software products, regardless of whether there is a price attached to the use of the online product. Any staff member considering the use of an online product to perform the duties of their position should carefully read the online Terms of Service to determine whether accepting those terms will be considered binding on the District by the vendor.
 2. If the use of an online product will result in the vendor receiving Protected Information, then the vendor is a Third Party and any agreement to use the online product must meet the requirements of this Policy and Education Law Section 2-d. Therefore, no staff member may use an online product that shares Protected Information until use of that product has been reviewed and approved by the Data Protection Officer.
 3. The Superintendent, in consultation with the Data Protection Officer, shall establish a process for the review and approval of online technology products proposed for use by instructional or non-instructional staff.
- C. Minimum Required Content for Third Party Contracts
1. Protected Information may not be shared with a Third Party unless there is a written, properly authorized contract or other data-sharing agreement that obligates the Third Party to:
 - a. maintain the confidentiality of the Protected Information in accordance with all applicable state and federal laws;
 - b. maintain the confidentiality of the Protected Information in accordance with this Policy;
 - c. use the shared Protected Information only for the purpose(s) specifically described in the contract, and to not use the Protected Information for any Commercial or Marketing Purpose;
 - d. limit access to Protected Information to only those officers and employees who need access in order to perform their duties in fulfilling the contract on behalf of the Third Party;

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- e. ensure that no officer or employee of the Third Party will be given access to Protected Information until they have received training in the confidentiality requirements of state and federal laws and this Policy;
 - f. not disclose any Protected Information to any other party who is not an authorized representative of the Third Party using the information to carry out Third Party's obligations under the contract, unless (i) Third Party has the prior written consent of the Data Subject to disclose the information to that party, or (ii) the disclosure is required by statute or court order, and notice of the disclosure is provided to the source of the information no later than the time of disclosure, unless such notice is expressly prohibited by the statute or court order;
 - g. maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of Protected Information in its custody;
 - h. use encryption technology to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the secretary of the U S. Department of HHS in guidance issued under P.L. 111-5, Section 13402(H)(2);
 - i. notify the District of any breach of security resulting in an unauthorized release of Protected Information by the Third Party or its assignees in violation of state or federal law, or in violation of contractual obligations relating to data privacy and security in the most expedient way possible and without unreasonable delay but no more than seven calendar days after the discovery of the breach; and
 - j. where a breach or unauthorized disclosure of Protected Information is attributed to the Third Party, the Third Party shall pay for or promptly reimburse the District for the full cost incurred by this District to send notifications required by the Education Law.
2. The contract or other data-sharing agreement with the Third Party must include the Third Party's Data Security and Privacy Plan that is accepted by the District. The Plan must include a signed copy of the District Parents Bill of Rights for Data Privacy and Security, and shall:

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- a. warrant that the Third Party's practices for cybersecurity align with the NIST Cybersecurity Framework 1.0;
 - b. equal industry best practices including, but not necessarily limited to, disk encryption, file encryption, firewalls, and password protection;
 - c. outline how the Third Party will implement all state, federal, and local data security and privacy contract requirements over the life of the contract, consistent with this Policy;
 - d. specify the administrative, operational and technical safeguards and practices it has in place to protect Protected Information that it will receive under the contract;
 - e. demonstrate that it complies with the requirements of Section 121.3(c) of the Commissioner's Regulations;
 - f. specify how officers or employees of the Third Party and its assignees who have access to Protected Information receive or will receive training on the federal and state laws governing confidentiality of such data prior to receiving access;
 - g. specify if the Third Party will utilize sub-contractors and how it will manage those relationships and contracts to ensure Protected Information is protected;
 - h. specify how the Third Party will manage data security and privacy incidents that implicate Protected Information including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District; and
 - i. describe whether, how, and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the Third Party when the contract is terminated or expires.
3. The contract or other data-sharing agreement with the Third Party must also include information sufficient for the District to publish the supplemental information about the agreement described in Part VI-B of this Policy.

VIII. District Response to Reported Breaches and Unauthorized Disclosures

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- A. Local Reports of Possible Breach or Unauthorized Disclosures
1. Data Subjects and other District staff who have information indicating that there has been a Breach or Unauthorized Disclosure of Protected Information may report that information to the Data Protection Officer.
 2. The report of suspected Breach or Unauthorized Disclosure must be made in writing. A report received by email will be considered a written report. The report shall provide as much information as is available to the reporting party concerning what Protected Information may have been compromised, when and how the possible Breach or Unauthorized Disclosure was discovered, and how the Data Privacy Officer may contact the reporting party. The Data Protection Officer shall make a form available online and in each school office to be used for reporting a suspected Breach or Unauthorized Disclosure.
 3. The Data Protection Officer, or designee, shall take the following steps after receiving a report of a possible Breach or Unauthorized Disclosure of Protected Information:
 - a. promptly acknowledge receipt of the report;
 - b. determine, in consultation with appropriate technical staff, what, if any, technology-based steps should be taken immediately to secure against further compromise of Protected Information;
 - c. conduct a thorough factfinding to determine whether there has been a Breach or Unauthorized Disclosure of Protected Information, and, if so, the scope of the Breach or Unauthorized Disclosure and how it occurred;
 - d. if a Breach or Unauthorized Disclosure of Protected Information is found to have occurred, implement the Cybersecurity Incident Response Plan to correct and ameliorate the Breach or Unauthorized Disclosure and provide appropriate notifications to the SED Chief Privacy Officer and affected Data Subjects; and
 - e. when the factfinding process is complete, provide the reporting party with the findings made at the conclusion of the factfinding process; this should occur no later than 60 days after the receipt of the initial report, and, if additional time is needed, the reporting

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party shall be given a written explanation within the 60 days that includes the approximate date when the findings will be available.

4. The Data Protection Officer shall maintain a record of each report received of a possible Breach or Unauthorized Disclosure, the steps taken to investigate the report, and the findings resulting from the investigation in accordance with applicable record retention policies, including Records Retention and Disposition Schedule for New York Local Government Records (LGS-1) ~~ED-1~~.
5. When this reporting and factfinding process results in confirmation of a Breach or Unauthorized Disclosure of Protected Information, the Data Protection Officer, or designee, shall follow the notification procedures described in Part VIII. B., below.
6. The availability of this process for reporting suspected Breaches or Unauthorized Disclosures of Protected Information shall be communicated to all staff and all student households, in addition to the general posting of this Policy on the District website.

B. Notification of Breach or Unauthorized Disclosure of Protected Information

1. Third Parties who learn of the Breach or Unauthorized Disclosure of Protected Information received from the District are required by law to notify the District of that occurrence no more than seven days after their discovery of the Breach or Unauthorized Disclosure. When the District receives such a notification, the Data Protection Officer, or designee, shall promptly obtain from the Third Party the following information if it is not already included in the notice:
 - a. a brief description of the Breach or Unauthorized Disclosure;
 - b. the dates of the incident;
 - c. the dates of the discovery by the Third Party;
 - d. the types of Protected Information affected; and
 - e. an estimate of the number of records affected.
2. When the District is notified by a Third Party of a Breach or Unauthorized Disclosure of Protected Information in the custody of the Third Party, the Data Protection Officer shall notify the Chief Privacy Officer of the State

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Education Department of that information within ten calendar days of receiving it from the Third Party, using the form provided by the Chief Privacy Officer.

3. When the District learns of an Unauthorized Disclosure of Protected Information originating within the District, whether as the result of a report made under this Policy or otherwise, the Data Protection Officer shall notify the Chief Privacy Officer of the State Education Department of that information within ten calendar days of discovering the Unauthorized Disclosure, using the form provided by the Chief Privacy Officer.
4. When the District has received notification from a Third Party of a Breach or Unauthorized Disclosure of Protected Information, or has otherwise confirmed that a Breach or Unauthorized Disclosure of Protected Information has occurred, the District shall notify all affected Data Subjects by first class mail to their last known address, by email, or by telephone, of the Breach or Unauthorized Disclosure. Notifications by email shall be copied into the record of the incident. Logs of telephone notifications shall be maintained with each record signed by the District employee making the contact. Each notification shall include the following information:
 - a. each element of information described in paragraph 1 above,
 - b. a brief description of the District investigation of the incident or plan to investigate; and
 - c. contact information for the Data Protection Officer as a point of contact for any questions the Data Subject may have.
5. The notification of affected Data Subjects shall be made in the most expedient way possible and without unreasonable delay, but no later than 60 calendar days after the discovery of the Breach or Unauthorized Disclosure or the receipt of the notice from the Third Party. If notification within the 60 day period would interfere with an ongoing law enforcement investigation or would risk further disclosure of Protected Information by disclosing an unfixed security vulnerability, notification may be delayed until no later than seven calendar days after the risk of interfering with the investigation ends or the security vulnerability is fixed.
6. Where notification of affected Data Subjects is required because of a Breach or Unauthorized Disclosure attributed to a Third Party, the Data

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Protection Officer shall prepare and submit to the Third Party a claim for reimbursement, as provided in Section 2-d of the Education Law.

7. Where notification of affected Data Subjects is required because of a Breach or Unauthorized Disclosure of Protected Information under this Policy, the Data Protection Officer shall also determine whether the District is required to provide any notifications pursuant to the Information Security Breach policy.

Madison Central School District

Legal Ref: NYS Education Law Section 2-d; Family Educational Rights and Privacy Act
FERPA 20 U.S.C. 1232g

Cross Ref: 7500 Education Records
5404 Information Security Breach

Adopted: 05/19/20

Revised: _____

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- I. The Board of Education and/or District employees will not be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school or school sponsored activities (e.g. field trips, athletics) if the medicine were not made available to him/her, or where it is administered pursuant to law requiring accommodation of a student's special medical needs.

For the purposes of this policy, the term "medication" will mean both prescription and non-prescription drugs.

II. Authority To Administer Medications:

- A. All medications, including nonprescription drugs given in school, shall be prescribed by a licensed health care provider on an individual basis as determined by the child's health status. At minimum, the written order will include the students' name and date of birth, diagnosis, the name of the medication, the dosage and route of administration, self-administration orders - if indicated, the frequency and time of administration (for prn/as necessary medications, the conditions under which the medication should be administered), the date written, the health care provider's name, title, signature and phone number.

1. Medication orders must be renewed annually or when there is a change in medication or dosage.
2. A pharmacy label does not constitute a written order and cannot be used in lieu of a written order from a health care provider.
3. When a properly labeled medication comes to the health office accompanied by a written request from the parent/guardian for administration of the medication, but without a written order from a health care provider, the following procedure will be followed:
 - a. Contact parent/guardian regarding need for written order from a health care provider.
 - b. Contact health care provider to obtain verbal permission to administer medication.
 - c. Request fax or written orders to be received within 48 hours.
 - d. Contact parent/guardian and discontinue medication if written orders are not received in 48 hours.

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- B. The student's parent/guardian must provide a written statement requesting the administration of the medication in the school as ordered by a licensed health care provider (Regulation 7102.1; 7102.2).
1. The pharmacy label must display the student's name, the name and phone number of the pharmacy, the licensed health care provider's name, the date and number of refills, the name of the medication/dosage, the frequency of administration, the route of administration and/or other directions.
 2. Over the Counter medications must be in the original manufacturer's container/package with the student's name affixed to the container. The same applies to drug samples.
- III. Medication Administration By Appropriate School Personnel:
- A. Medication to students may only be administered by appropriately licensed health professionals including but not limited to physicians, nurse practitioners (NP), physician assistants (PA), registered professional nurses (RN), and licensed practical nurses (LPN) under the direction of an RN pursuant to Title VIII of the Education Law. However, situations and circumstances, as outlined herein, may occur in the school setting when an authorized health care professional may not be available to administer medications.
 - B. Prescribed medications which require administration through a subcutaneous, intramuscular, intravenous or rectal route or prescribed medications being administered through pumps, tubes or nebulizers, and/or oral, topical or inhalant medications needed by Nurse Dependent Students remains the responsibility of and must be given the school registered professional nurse, licensed practical nurse under the direction of a school registered professional nurse, physician, or as authorized by the parent/guardian. Administration of such prescribed medications may not be performed by unlicensed persons, except in emergencies.
 - C. Designated persons in the school setting (including school contractors), following assignment and in conjunction with documented training and approval by school nursing personnel may assist Supervised Students, at the direction of the student, with the taking of their own oral, topical and inhalant medication.
 - D. Volunteer staff, including school contractors, may be trained by an appropriate licensed health professional to administer epinephrine injections and Glucagon injections to students with a specific order for such and parent/guardian consent, during the school day on school property and at any school function. School nursing personnel and the administration should assure that the unlicensed person

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receives the annual training and supervision needed to perform these tasks in a safe and effective manner. Epinephrine may need to be administered again after the initial effects wear off, potentially in fifteen to twenty minutes. Only licensed medical personnel or trained unlicensed individuals in certain emergency circumstances may administer a second dose of epinephrine if needed, while awaiting emergency medical services transportation.

E. Anaphylaxis/Epinephrine: Non-Patient Specific Order and Protocol

The District stocks epinephrine auto-injectors and permits those school employees who have been trained via the Department of Health's approved training program to administer an epinephrine auto-injector (EAI) in the event of an emergency, or school personnel directed in a specific instance to use an EAI device by a health care practitioner as defined in Public Health Law 3000-c, to any student or staff member on-site with symptoms of anaphylaxis regardless of whether or not there is a previous history to severe allergic reaction, pursuant to 8 NYCRR 64.7 and 8 NYCRR 136.6.

F. Albuterol

The District stocks albuterol metered dose inhalers (MDIs) and/or liquid albuterol for use in a nebulizer by multiple students diagnosed with asthma in the event their personal albuterol prescription is empty. The albuterol will be available under the following conditions:

1. The school nursing personnel or licensed practical nurses under the direction of the school nursing personnel perform the following duties:
 - a. Maintaining an inventory of albuterol and obtaining and replacing the stock;
 - b. Maintaining, cleaning and labeling of the school's stock MDI and nebulizer, individual student's MDIs and spacers; and the student's nebulizer tubing, facemask or mouthpiece; and
 - c. Informing parents/guardians of use and need for replacement of student's albuterol medication.
2. Students must have a patient specific order for use of albuterol MDI or nebulized albuterol from their private health care provider that includes permission of the use the school's stock albuterol.
3. Each student must have their own labeled spacer provided by the parent/guardian that is used when administering their own, or the school's stock albuterol MDI; or the student must have their own labeled tubing

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and facemask or mouthpiece that is used when administering their own, or the school's stock albuterol via nebulizer.

4. Signed written permission from the student's parent/guardian for use of the school's stock albuterol.
5. The school's stock albuterol must be obtained from a licensed pharmacy.
6. The school's stock albuterol is not to be used in place of the parent/guardian providing an albuterol medication for their child(ren) in school. The school's stock albuterol is only for use in the event the student's own albuterol is empty and while awaiting the parent/guardian to provide the school with a new one.

G. Non-FDA Sanctioned Medications/Supplements

Requests or orders for use of non-FDA sanctioned medications and/or supplements including but not limited to: herbal remedies, essential oils, dietary supplements, naturopathic or holistic medicines, and natural products do not need to be honored by the District or school nurse. If a student/parent requests use of a non-FDA sanctioned medication and/or supplement the School Nurse will provide a letter to the parent/guardian and the student's physician that such medications/supplements need to be administered outside of school. An appropriate note should be made in the student's CHR documenting the communication.

IV. Procedures For Administering Medications:

- A. All medications should be given as close to the prescribed time as possible. Given student schedules and compliance with coming to the health office in a timely fashion, medications accepted for school administration generally may be given up to one hour before and no later than one hour after the prescribed time. However, the parent/guardian and health care provider should be advised, so that they can advise the school if there is a time-specific concern regarding administration of the medication.
- B. If a student fails to come for a dose, the school nurse will make a reasonable effort to locate the student. If the medication has not been given for any reason within the prescribed time frame, the school nurse must make reasonable efforts to notify the parent/guardian that day.
- C. If a student chronically fails to come for medications, the school nurse should contact the parent/guardian to address the problem. It is good practice to advise

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the health care provider of the poor compliance so that appropriate adjustments can be made.

- D. A medication may be changed or discontinued by a written order of the health care provider at any time. If a parent/guardian requests discontinuation of a prescribed medication without the health care provider's order to do the same, it is good practice to send a confirmation to the parent/guardian with a copy to the health care provider of the school's intention to discontinue the medication at the parent's/guardian's request.
 - E. When the dose of a medication is changed by a health care provider's written order and a parent/guardian request, and the old pharmacy bottle has not been corrected, the school nurse may label the bottle with the correct dose until the new pharmacy labeled prescription bottle is received. The importance of parent/guardian compliance with sending in a new bottle quickly needs to be conveyed.
- V. Transportation and Storage of Medication
- A. No medication should be brought into school without the knowledge of the health office.
 - B. Medications should not be transported daily to and from school unless the student, with proper authorization, is permitted to carry and self-administer his/her own medications. Medications shall be brought to school by the parent/guardian and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier. Parents/guardians should be advised to ask the pharmacist for two containers, one to remain home and one to remain at school.
 - C. All medications, except as otherwise arranged, should be properly stored and secured within a health office cabinet, drawer or refrigerator designated for medications only. The site must include a lock for the cabinet, drawer and refrigerator, as well as a lock to the outside health office door. Controlled substances must always be secured and must never be left open or accessible to the public at any time. Even Supervised Students and/or Independent Students should not be given unsupervised access to controlled substances in the possession of the school. Whenever possible, medication storage units ideally should be secured to the wall or floor, and should not have breakable glass doors. Ideally, all medications should be stored in a health office. However, there may be instances when either request are made by a parent/guardian and physician for a student to carry and self-administer medications because of the emerging nature of the health problem or the severity of the health condition.

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VI. Independent Students

- A. If school personnel receive a request from a parent/guardian and health care provider to permit a student to carry and self-administer his/her own prescribed medication, such decisions should be made on an individual basis and in accordance with the following criteria:
1. Parent statement requesting compliance with licensed health care provider's order. (Regulation 7102.1)
 2. The appropriate Provider Attestation and Parent/Guardian Permission for Independent Medication Carry and Use Form (Regulation 7102.2) must be completed by a physician or a duly authorized health care provider permitting students who have been diagnosed with a severe asthmatic, diabetic, or allergy condition to carry and use a prescribed inhaler, insulin, glucagon, and other diabetes supplies or epinephrine kit during the school day.
 3. The severity of the health care problem.
 4. Licensed health care provider's order directing that the student be allowed to carry her/his medication and self-administer.
 5. Student has been instructed in the procedure of self-administration and can assume responsibility for carrying properly labeled medication in original container on her or his person or keeping in school or physical education locker.
 6. School nursing assessment that student is self-directed to carry and self-administer her/his medication properly.
 7. Parent/guardian contact made to clarify parental responsibility regarding the monitoring of the student on an ongoing/daily basis to insure that the student is carrying and taking the medication as ordered. This contact should be documented.
 8. Students with diagnoses other than asthma (or another respiratory disease requiring the use of an inhaler), diabetes, or allergic conditions requiring the use of an epinephrine auto injector, must also have a properly completed Self-Medication Authorization Form on file.
- B. Sunscreen

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Students do not need to obtain an order from a health care provider in order to use sunscreen in school. In order for a student to be able to apply sunscreen in school, however, they must meet the following criteria:

1. The student's parent or guardian must provide written permission to the school principal (or school nurse) to allow the student to carry and use the sunscreen. Parents or guardians may permit unlicensed school personnel to apply sunscreen if the student is unable to do so on their own.
 2. The sunscreen must be available over-the-counter, and approved by the Federal Drug Administration (FDA).
 3. The sunscreen must be used for the purpose of avoiding overexposure to the sun.
 4. Parents or guardians are responsible for providing their child's sunscreen.
- C. Any student self-administering medication without proper authorization should be counseled by the school nursing personnel. In addition, the parent/guardian and the school administration should be notified.
- D. No student is to have any other type of medication on his/her person in school under any circumstances.

VII. Responsibilities of School Nursing Personnel

- A. General:
1. Facilitate policies and procedures regarding the administration of medication in schools.
 2. Ensure proper and appropriate techniques for the administration of medication in schools.
 3. Provide and/or document adequate training and in-service education for trained unlicensed staff assisting supervised and/or independent students with self-medication.
 4. Maintain adequate and secure storage of all medications.
 5. Document or assure documentation by other licensed or unlicensed persons for each dose of medication given or taken on a daily log and periodically summarize in each student's cumulative health record.

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6. Perform intermittent evaluation of the practices and procedures related to the administration of medications and modify as needed.
 7. Become familiar with and adhere to the State Education Department's document titled "Administration of Medication in School Settings" and its periodic revisions.
- B. Specific For Each Student:
1. Observe and evaluate the student's health status and response to medication, informing parents, guardians, or health care provider as deemed necessary.
 2. Educate the student regarding the importance of medication and encourage the student's self-directed involvement in the process, including coming to the health office on time and receiving or taking medications. If a student forgets, it is recommended that the school nurse call for the student to ensure that medication is not missed. Parents/guardians should be advised if their child is not fully participating in the established school procedure.
 3. Involve school staff only as needed to ensure student safety and only where disclosure of health information is permitted by law.
- C. Procedures for Taking Oral, Topical or Inhalant Medications Off School Grounds or After School Hours While Participating in a School-Sponsored Activity. The school nursing personnel should ensure that:
1. Oversight of medication self-administration when off school grounds or after hours while participating in a school-sponsored activity may be delegated to trained unlicensed school personnel for supervised and/or self-directed student(s). Such personnel must be appropriately instructed by a licensed school professional (RN, NP, PA, or physician). Ideally each student should have a written emergency action plan for personnel to follow in the event of an emergency or they are unable to contact the licensed school health professionals for questions.
 2. Preparation of medication. When oral medication is to be given off school grounds or after school hours, the school nurse may prepare the medication for short out-of-school experiences. Children needing medication on extended trips must have their medication in a properly labeled pharmacy container.

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4. The parent/guardian may designate, in writing another adult, as described in Education Law Section 6908, to administer the medication to Nurse Dependent Students in situations where the school nurse, physician or parent/guardian is unavailable. (Regulation 7102.3)
- D. Medication Errors:
1. Medication errors should be addressed immediately according to District protocol.
 2. Additionally, school nursing personnel should assess the student and, if appropriate notify the supervisor, school administrator and/or school physician; notify the health care provider; notify the parent/guardian and secure the student's safety; complete a written report of the medication error (detailing the student's name, parent's/guardian's name and phone number, specific statement of the medication error, people notified and remedial action).
 3. School nursing personnel should review reports of medication errors and take necessary steps for appropriate medication administration in the future.
- E. Disposal of Medications, Needles and Syringes
1. Medications that remain at the end of the school year or after the order is changed or discontinued or is past the expiration date must be:
 - a. Returned to the parent/guardian or a responsible designee picking up the medication from the health office.
 - b. If the parent/guardian does not retrieve the unused medication before the end of the school year, the school nurse must document that that the medication was abandoned and dispose of the unused medication.
 - c. All medication being considered for disposal should be taken to an appropriate disposal location, such as a pharmacy.
 2. Needles and Syringes, including auto-injectors, must be disposed of in a manner consistent with state law and the following guidelines:
 - a. Needles should not be recapped and should not be purposely bent or broken.

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- b. Disposable syringes and needles (and other sharp items) should be placed in approved sharps' containers and labeled "BIOHAZARD."
 - c. Arrangements should be made with custodial staff or an appropriate agency to dispose of containers at periodic intervals according to established procedures of the school regarding regulated medical waste and in accordance with the school's Exposure Control Plan.
 - d. Sharps include, but are not limited to, needles, syringes, diabetic testing, and Epi pens.
- F. Emergency Building Evacuations and Medication
1. The health office should be supplied with a readily accessible, easily carried and recognizable emergency pack that includes supplies for basic first aid, including supplies for infection control, a stock Epi pen with non-patient specific orders and a glucose source, such as glucose gel or honey sticks. A plan for communicating with the appropriate building principal should be established. A list of all students with significant medical conditions and medical orders for prescription medication, including emergency contact numbers, should be kept in the emergency pack.
- G. Record Keeping
1. School Nursing Personnel shall follow the Retention and Disposition for New York Local Government Records (LGS-1) NYSED Record Retention Schedule.
 2. School Nursing Personnel, and any trained unlicensed personnel assisting Supervised Students, should maintain accurate records of the medication administered, any special circumstances related to the procedure, and student's reactions/responses.
 3. At a minimum, school nursing personnel should retain the written order from the health care provider, retain the parent/guardian request letter, retain pertinent information about medication on cumulative health record, maintain an individual daily medication record for each student taking medication during the time frame the medication is being given, periodically summarize daily medication records on the cumulative health record.
 4. Student medication orders and parent/guardian consents are to be kept for one year after the end of the school year, as long as the information is

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transcribed into the cumulative health record on either an MAR or narrative. Medication orders and parent/guardian consents not transcribed, along with the MAR and narrative, need to be kept in the cumulative health record until the student reaches age 27.

VIII. Additional Guidelines For Best Practices

- A. For certain medications, especially controlled substances, the standards of best practice include counting the medication upon receipt and at regular intervals. A count of a controlled substance should be witnessed by another nurse, principal, or staff member designated by the principal. Discrepancies should be reported to appropriate school administrators and the student's parent/guardian immediately.
- B. Instructions should be left for substitute nurses that are clear and concise on the handling of all aspects of medication acceptance, handling, delivery and storage.
- C. Education of families regarding the school district's medication protocols is an ongoing responsibility of the school district.

IX. Student Privacy

The District will protect the privacy rights of students as required by the Family Education Rights and Privacy Act of 1974, Education Law §2-D and the Health Insurance Portability and Accountability Act of 1996.

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Legal Ref: State Education Department's "Guidelines for Medical Management in Schools 2015", Revised December 2017; Education Law 902, 907, 916, 921, 6909; 8 NYCRR 64.7, 136.6; Public Health Law §3000c.

Adopted: 1984

Revised: 05/19/99, 11/27/12, 07/08/15, 03/19/19, _____